

United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/944,344	09/04/2001	Shiroshi Matsuki	50352-02 9915		
7590 10/10/2003			EXAMINER		
McDERMOTT, WILL & EMERY			WONG, EDNA		
600 13th Street	, N.W. C 20005-3096		ART UNIT	PAPER NUMBER	
washington, D	C 20003-3070		1753		

DATE MAILED: 10/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

				+	1			
		Applicati n No.		Applicant(s)				
Office Action Summary		09/944,344		MATSUKI ET AL.				
		Examiner		Art Unit				
		Edna Wong		1753				
	Th MAILING DATE of this communication app	ears on the cover	sh et with th	orrespond nce address				
THE - Exterester - If the - If NC - Failu - Any I	ORTENED STATUTORY PERIOD FOR REPLY MAILING DATE OF THIS COMMUNICATION. nisions of time may be available under the provisions of 37 CFR 1.13 SIX (6) MONTHS from the mailing date of this communication. It period for reply specified above is less than thirty (30) days, a reply operiod for reply is specified above, the maximum statutory period we are to reply within the set or extended period for reply will, by statute, reply received by the Office later than three months after the mailing and patent term adjustment. See 37 CFR 1.704(b).	36(a). In no event, howe within the statutory min vill apply and will expire s cause the application to	ever, may a reply be time imum of thirty (30) days SIX (6) MONTHS from to become ABANDONED	will be considered timely. the mailing date of this communic (35 U.S.C. § 133).	cation.			
1)	Responsive to communication(s) filed on	<u> </u>						
2a) <u></u> ☐	This action is FINAL . 2b)⊠ Thi	s action is non-fi	nal.					
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims								
	Claim(s) 1-13 is/are pending in the application			•				
	4a) Of the above claim(s) is/are withdraw		ation					
5)	Claim(s) is/are allowed.	vii iioiii consider	ation.					
· —	Claim(s) is/are rejected.				•			
7)	Claim(s) is/are objected to.							
<i>'</i> —	Claim(s) <u>1-13</u> are subject to restriction and/or e	loction requirem	ont.					
	ion Papers	rection requirem	ent.					
,	The specification is objected to by the Examiner			•				
10)[_]	The drawing(s) filed on is/are: a)□ accep							
	Applicant may not request that any objection to the	- · ·	•	` '				
11)	The proposed drawing correction filed on			ed by the Examiner.				
. د د د د د د د د د د د د د د د د د د د	If approved, corrected drawings are required in rep	•	ion.					
12) The oath or declaration is objected to by the Examiner.								
	ınder 35 U.S.C. §§ 119 and 120							
_	Acknowledgment is made of a claim for foreign	priority under 35	i U.S.C. § 119(a)	-(d) or (f).				
a)[☐ All b)☐ Some * c)☐ None of:							
	1. Certified copies of the priority documents							
2. Certified copies of the priority documents have been received in Application No								
* 5	3. Copies of the certified copies of the prior application from the International Bur See the attached detailed Office action for a list of the ac	eau (PCT Rule 1	7.2(a)).	·	;			
14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).								
_) The translation of the foreign language province Acknowledgment is made of a claim for domestic							
Attachmen			50					
2) Notic	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO-1449) Paper No(s)	5) 🔲		(PTO-413) Paper No(s) atent Application (PTO-152)	<u></u> .			



Application/Control Number: 09/944,344

Art Unit: 1753

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 1-3, drawn to a method for manufacturing a copper electroplating material, classified in class 423, subclass 604.
- II. Claims 4-9, drawn to a copper electroplating material and a copper plating method, classified in class 205, subclass 291.
- III. Claims 10-13, drawn to a method a method for manufacturing a copper plating material, classified in class 423, subclass 604.

The inventions are distinct, each from the other because of the following reasons:

Inventions I, II and III are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions have different modes of operation, different functions, and different effects.

Group I is directed to a method for manufacturing a copper electroplating material that produces <u>copper oxide</u>.

Group II is directed to a copper electroplating material and a copper plating method that does not require the method steps of Groups I and/or III.

Group III is directed to a method for manufacturing a copper plating material that produces copper carbonate.

The methods recited above contain steps that are methodically different from

Application/Control Number: 09/944,344

Art Unit: 1753

each other and are not required for each of the Groups.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group II is not required for Groups I and III, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Page 4

Application/Control Number: 09/944,344

Art Unit: 1753

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edna Wong whose telephone number is (703) 308-3818. The examiner can normally be reached on Mon-Fri 7:30 am to 5:00 pm, alt. Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam Nguyen can be reached on (703) 308-3322. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1495.

Edna Wong Primary Examiner · Art Unit 1753

EW October 9, 2003